

115TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To amend the Higher Education Act of 1965 to provide that an individual may remain eligible to participate in the teacher loan forgiveness program under title IV of such Act if the individual's period of consecutive years of employment as a full-time teacher is interrupted because the individual is the spouse of a member of the Armed Forces who is relocated during the school year pursuant to military orders for a permanent change of duty station, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

Mr. CARDIN (for himself and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Committee on

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**A BILL**

To amend the Higher Education Act of 1965 to provide that an individual may remain eligible to participate in the teacher loan forgiveness program under title IV of such Act if the individual's period of consecutive years of employment as a full-time teacher is interrupted because the individual is the spouse of a member of the Armed Forces who is relocated during the school year pursuant to military orders for a permanent change of duty station, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Preserving Teacher  
3 Loan Forgiveness for Military Spouses Act of 2018”.

4 **SEC. 2. CONTINUING ELIGIBILITY TO PARTICIPATE IN STU-**  
5 **DENT LOAN FORGIVENESS OR LOAN CAN-**  
6 **CELLATION PROGRAM FOR TEACHERS**  
7 **WHOSE PERIOD OF CONSECUTIVE EMPLOY-**  
8 **MENT IS INTERRUPTED BECAUSE OF MILI-**  
9 **TARY ORDERS REQUIRING SPOUSE TO RELO-**  
10 **CATE TO NEW RESIDENCE.**

11 (a) CONTINUING ELIGIBILITY.—

12 (1) PART B LOANS.—Section 428J(g) of the  
13 Higher Education Act of 1965 (20 U.S.C. 1078–  
14 10(g)) is amended by adding at the end the fol-  
15 lowing:

16 “(4) CONTINUING ELIGIBILITY FOR CERTAIN  
17 MILITARY SPOUSES.—

18 “(A) IN GENERAL.—Notwithstanding para-  
19 graph (1) of subsection (b), an individual who  
20 is employed in a full-time teaching position that  
21 meets the requirements of this section for a pe-  
22 riod that includes 5 complete but noneconsecu-  
23 tive years may be eligible for loan forgiveness  
24 pursuant to such subsection, if the individual  
25 was a qualified military spouse with respect to  
26 any year during such period for which the indi-

1           vidual was not employed as a full-time teacher  
2           in a school or location meeting the requirements  
3           of this section.

4           “(B) QUALIFIED MILITARY SPOUSE DE-  
5           FINED.—In this paragraph, the term ‘qualified  
6           military spouse’ means, with respect to a year,  
7           an individual who—

8                   “(i) during the previous year, served  
9                   as a teacher in a school or location meeting  
10                  the requirements of subparagraph (A) of  
11                  subsection (b)(1) and met the require-  
12                  ments of subparagraph (B) of subsection  
13                  (b)(1);

14                   “(ii) is the spouse of a member of the  
15                   Armed Forces who is relocated during the  
16                   year pursuant to military orders for a per-  
17                   manent change of duty station;

18                   “(iii) did not serve as a teacher in a  
19                   school or location meeting the require-  
20                   ments of subparagraph (A) of subsection  
21                   (b)(1) during the year or any portion of  
22                   the year because the individual accom-  
23                   panied the spouse to a new residence as a  
24                   result of such military orders; and

1                   “(iv) during the following year, re-  
2                   sumed service as a teacher in a school or  
3                   location meeting the requirements of sub-  
4                   paragraph (A) of subsection (b)(1) and  
5                   met the requirements of subparagraph (B)  
6                   of subsection (b)(1).

7                   “(C) REPORTS TO CONGRESS.—Not later  
8                   than 90 days after the end of the second aca-  
9                   demic year during which this paragraph is in  
10                  effect, and every 2 years thereafter, the Sec-  
11                  retary shall submit to Congress a report de-  
12                  scribing the number of individuals who, as a re-  
13                  sult of this paragraph, remained eligible for  
14                  loan forgiveness pursuant to subsection (b) dur-  
15                  ing the 2 most recent academic years.”.

16                  (2) PART D LOANS.—Section 460(g) of the  
17                  Higher Education Act of 1965 (20 U.S.C. 1087j(g))  
18                  is amended by adding at the end the following:

19                  “(4) CONTINUING ELIGIBILITY FOR CERTAIN  
20                  MILITARY SPOUSES.—

21                  “(A) IN GENERAL.—Notwithstanding para-  
22                  graph (1) of subsection (b), an individual who  
23                  is employed in a full-time teaching position that  
24                  meets the requirements of this section for a pe-  
25                  riod that includes 5 complete but nonconsecu-

1           tive years may be eligible for loan cancellation  
2           pursuant to such subsection, if the individual  
3           was a qualified military spouse with respect to  
4           any year during such period for which the indi-  
5           vidual was not employed as a full-time teacher  
6           in a school or location meeting the requirements  
7           of this section.

8           “(B) QUALIFIED MILITARY SPOUSE DE-  
9           FINED.—In this paragraph, the term ‘qualified  
10          military spouse’ means, with respect to a year,  
11          an individual who—

12                 “(i) during the previous year, served  
13                 as a teacher in a school or location meeting  
14                 the requirements of subparagraph (A) of  
15                 subsection (b)(1) and met the require-  
16                 ments of subparagraph (B) of subsection  
17                 (b)(1);

18                 “(ii) is the spouse of a member of the  
19                 Armed Forces who is relocated during the  
20                 year pursuant to military orders for a per-  
21                 manent change of duty station;

22                 “(iii) did not serve as a teacher in a  
23                 school or location meeting the require-  
24                 ments of subparagraph (A) of subsection  
25                 (b)(1) during the year or any portion of

1 the year because the individual accom-  
2 panied the spouse to a new residence as a  
3 result of such military orders; and

4 “(iv) during the following year, re-  
5 sumed service as a teacher in a school or  
6 location meeting the requirements of sub-  
7 paragraph (A) of subsection (b)(1) and  
8 met the requirements of subparagraph (B)  
9 of subsection (b)(1).

10 “(C) REPORTS TO CONGRESS.—Not later  
11 than 90 days after the end of the second aca-  
12 demic year during which this paragraph is in  
13 effect, and every 2 years thereafter, the Sec-  
14 retary shall submit to Congress a report de-  
15 scribing the number of individuals who, as a re-  
16 sult of this paragraph, remained eligible for  
17 loan cancellation pursuant to subsection (b)  
18 during the 2 most recent academic years.”.

19 (b) EFFECTIVE DATE.—The amendments made by  
20 subsection (a) shall apply with respect to individuals who  
21 first become employed as full-time teachers on or after the  
22 date of the enactment of this Act.